



1400 Independence Avenue, SW.  
Room 2095-S, STOP 0203  
Washington, DC 20250-0203

July 5, 2019

Mr. Christian Salazar  
MuckRock News  
Department MR 70918  
411A Highland Avenue  
Somerville, Massachusetts 02144-2516  
70918-88337730@requests.muckrock.com

**Re: Final Response to FOIA 2019-AMS-00115-F**

Dear Mr. Salazar:

This is the final response for the above referenced Freedom of Information Act (FOIA) request dated March 24, 2019, and received by the Agricultural Marketing Service (AMS) on March 27, 2019. You requested National Pork Board (Pork Board) records that mention lab-grown meat products including; cultured meat, clean meat, in vitro meat, synthetic meat, vat grown meat, Memphis Meats, and other lab-grown meat producers created between January 1, 2016, and March 22, 2019. You subsequently clarified on June 4, 2019, that you are not interested in news blasts that do not contain any additional commentary from USDA or Pork Board staff.

The AMS FOIA staff works with subject matter experts across the Agency to locate responsive documents. For this request, a search was conducted by the Pork Board. The Pork Research, Promotion, and Consumer Information program is administered by the Pork Board. The program's goal is to develop and expand markets for pork and pork products. The Pork Boards' search was conducted on April 17, 2019. The search provided responsive records in AMS' control on that date.

We have processed 662 pages that are responsive to your request. After a thorough review, we have determined that portions of 140 pages are exempt from disclosure under FOIA Exemptions (b)(4), (b)(5) and (b)(6) of the FOIA, 5 U.S.C. § 552, as amended. The remaining 522 pages are being released in their entirety. Accordingly, this request is granted in part.

Exemption 4 of the FOIA protects "trade secrets and commercial or financial information obtained from a person [that is] privileged or confidential." The information withheld includes a CFI publication that is only provided to members.

Exemption 5 of the FOIA protects "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than in litigation with the agency." The Agency records that are subject to protection in full or in part under Exemption 5 are pre-decisional and deliberative and therefore privileged under the "deliberative process" privilege. The general purpose of this privilege is to prevent injury to the quality of agency decisions. Here, the material withheld includes deliberations concerning the topics to address at upcoming food

conferences. Disclosure of such information would have a chilling effect on the ability of agency officials to engage in free discussions and deliberations regarding proposed decisions.

Exemption 6 of the FOIA permits the government to withhold information regarding individuals in “personnel and medical files and similar files” when the disclosure of such information “would constitute a clearly unwarranted invasion of personal privacy” and where such privacy interests outweigh any public interest which would be advanced by the disclosure of their information. Within this record set, AMS is withholding personal cell phone numbers, email addresses, and home addresses. Release of this information could result in unwarranted contact from the public.

This concludes processing of your request. You may appeal our determination within 90 days from the date of this letter. Your appeal should be clearly marked to indicate that it contains a FOIA appeal and include specific reasons why you believe modification of the initial action is warranted. Any such appeal should be in writing and addressed to:

Bruce Summers  
Administrator  
Agricultural Marketing Service  
1400 Independence Avenue, S.W.  
Stop 0201, Room 3071  
Washington, D.C. 20250-0201

If you have any questions about the way this request was handled, please contact JoAnna Gorsage at (202) 378-2575 or [JoAnna.Gorsage@usda.gov](mailto:JoAnna.Gorsage@usda.gov). If you have general questions or concerns regarding AMS’ FOIA procedures or regulations, please contact our FOIA Public Liaison, Bill Allen, at (202) 720-3785 or via email at [ams.foia@usda.gov](mailto:ams.foia@usda.gov).

Additionally, you may contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at (202) 741-5770; toll-free at 1-(877) 684-6448; or facsimile at (202) 741-5769.

Thank you for your interest in AMS programs and policies.

Sincerely,

*Mark R. Brook*

Mark R. Brook  
FOIA Officer  
Agricultural Marketing Service

Enclosure